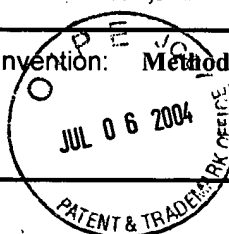
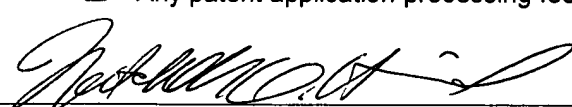


Express Mail No: EV 325379565 US

07-07-04 IFM 2881

AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. 46955.7 (113737.7)					
Applicant(s): Gebhardt, et. al.								
Serial No. 10/031,542	Filing Date 01/18/2002	Examiner Phillip A. Johnston	Group Art Unit 2881					
Invention: Method and Device for Cluster Fragmentation								
 <u>TO THE COMMISSIONER FOR PATENTS:</u>								
Transmitted herewith is an amendment in the above-identified application.								
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.								
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.								
The fee has been calculated and is transmitted as shown below.								
CLAIMS AS AMENDED								
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE			
TOTAL CLAIMS	31 -	34 =	0 x	\$9.00	\$0.00			
INDEP. CLAIMS	1 -	3 =	0 x	\$43.00	\$0.00			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00			
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00			
<input checked="" type="checkbox"/> No additional fee is required for amendment.								
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____								
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.								
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2194								
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.								
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.								
 _____ Signature			Dated: July 2, 2004					
Mitchell D. Hirsch, Registration No. 54,170 Buchanan Ingersoll PC Customer No. 041068 1835 Market Street Philadelphia 19103-2985 Telephone: 215 665 3809 Facsimile: 215 665 8760			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"> I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. </td> </tr> <tr> <td style="height: 40px; text-align: center; vertical-align: middle;"> Signature of Person Mailing Correspondence </td> </tr> <tr> <td style="height: 40px; text-align: center; vertical-align: middle;"> Typed or Printed Name of Person Mailing Correspondence </td> </tr> </table>			I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	Signature of Person Mailing Correspondence	Typed or Printed Name of Person Mailing Correspondence
I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.								
Signature of Person Mailing Correspondence								
Typed or Printed Name of Person Mailing Correspondence								
cc:								

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Gebhardt, et. al.

Docket No.

46955.7 (113737.7)

Serial No.

10/031,542

Filing Date

01/18/2002

Examiner

Phillip A. Johnston

Group Art Unit

2881

Invention: Method and Device for Cluster Fragmentation

JUL 06 2004

I hereby certify that the following correspondence:

Amendment Transmittal Letter (1 pg. in dup);
Response to Non-Final Office Action (12 pages)
Return Receipt Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 6, 2004

(Date)

Mitchell D. Hirsch

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EV 325379565 US

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10/031,542

Attorney Docket No. 46955.7 (113737.7)

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gebhardt, et. al.	:	Group No.: 2881
	:	
Serial No.: 10/031,542	:	Examiner: Phillip A. Johnston
	:	
Filed: January 18, 2002	:	
	:	
For: Method and Device for Cluster Fragmentation	:	

**RESPONSE TO NON-FINAL OFFICE ACTION
Under 37 C.F.R. § 1.111**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 6, 2004, in the subject application,

Applicants respectfully submit the following amendments and remarks.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks and Arguments begin on page 8 of this paper.

Authorization and Petitions begin on page 12 of this paper.